
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

JESUS ELDON ARAGON, an individual,

Plaintiff,

v.

EDWARD DALTON, an individual;
JOSHUA CURTIS, an individual; and DOES
1 – 10,

Defendants.

**ORDER ADOPTING [75] REPORT AND
RECOMMENDATION**

Case No. 2:18-cv-00620-DBB-DAO

District Judge David Barlow

Magistrate Judge Daphne A. Oberg

The Report and Recommendation¹ issued by United States Magistrate Judge Daphne A. Oberg on January 21, 2021 recommends² that Plaintiff's Motion to Amend³ be granted and that Defendant Dalton and Curtis's motion for summary judgment⁴ be granted.

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636 and Fed. R. Civ. P. 72.⁵ No party filed an objection.

Because no party filed a written objection to the Report and Recommendation by the specified deadline, and because the analysis and conclusion of the Magistrate Judge are sound, the Report and Recommendation of Magistrate Judge Oberg is adopted in its entirety.

¹ Report and Recommendation, [ECF No. 75](#), filed January 21, 2021.

² *Id.* at 11-12.

³ Motion to Amend Complaint, [ECF No. 64](#), filed September 22, 2020.

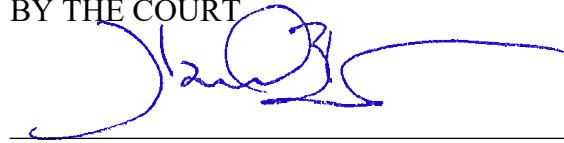
⁴ Motion to Dismiss the Claims Against Defendants, [ECF No. 51](#), filed April 21, 2020. The Report and Recommendation details that at the hearing on this Motion to Dismiss, both parties agreed that the dismissal motion should be converted to a motion for summary judgment because supplementary material outside the complaint was attached to the briefing. Report and Recommendation at 1.

⁵ Report and Recommendation at 11.

IT IS HEREBY ORDERED that the Report and Recommendation⁶ is ADOPTED.
Plaintiff's Motion to Amend⁷ is GRANTED and Defendant Dalton and Curtis's motion for
summary judgment⁸ is GRANTED.

Signed February 26, 2021.

BY THE COURT



David Barlow
United States District Judge

⁶ Report and Recommendation, [ECF No. 75](#), filed January 21, 2021.

⁷ Motion to Amend Complaint, [ECF No. 64](#), filed September 22, 2020.

⁸ Motion to Dismiss the Claims Against Defendants, [ECF No. 51](#), filed April 21, 2020.